

UNCLASSIFIED

5/17/79

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Department of State

INCOMING
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ACTION ARA-15

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INFO OCT-01 ADS-00 PA-01 HA-05 SS-15 NSCE-00 LABE-00
SIL-01 L-03 ICAE-00 H-01 DODE-00 CIAE-00 INR-10
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O 031616Z MAY 79
FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC IMMEDIATE 0469

BUENOS AIRES 3451

E.O. 12065: N/A
TAGS: PDIP ELAB AR
SUBJ: GOA DISPLEASURE OVER DEPARTMENT'S STATEMENT ON ARGENTINE TRADE
UNION DETENTIONS

REF: (A) STATE 105887; (B) BUENOS AIRES 3397

1. ON MAY 2, 1979 THE DIRECTOR OF NORTH AMERICAN AFFAIRS OF THE ARGENTINE FOREIGN MINISTRY, MINISTER-COUNSELOR MIGUEL ESPECHE GIL, CALLED IN THE CHARGE TO ISSUE AN ORAL PROTEST OVER THE "INADMISSABLE" US INTERVENTION REPRESENTED BY THE RECENT STATEMENT OF THE DEPARTMENT'S SPOKESMAN WHEN HE EXPRESSED CONCERN ABOUT THE DETENTIONS OF ARGENTINE TRADE UNION LEADERS AND THE HOPE THAT THEY WOULD BE RELEASED PROMPTLY. ESPECHE MADE HIS POINTS IN A LOW-KEY FASHION IN A TONE MORE OF SORROW THAN OF ANGER. HE EMPHASIZED THAT BY MEANS OF SECURITY DECREES ISSUED IN 1976 ARGENTINA HAS SUSPENDED THE RIGHT TO STRIKE, THAT THE COUNTER ACTION AGAINST THE STRIKE LEADERS WAS TAKEN IN DEFENSE OF THE WORKERS' "RIGHT TO WORK" (POINTING OUT THAT THERE IS "RIGHT-TO-WORK" LEGISLATION IN SOME OF THE STATES OF THE UNITED STATES) AND THAT LEGAL DUE PROCESS IS BEING IMPLEMENTED IN THIS CASE (INASMUCH AS AN ARGENTINE FEDERAL JUDGE IS INTERVENING IN ACCORDANCE WITH EXISTING ARGENTINE LAW.

2. HE THEN HANDED THE CHARGE AN AIDE MEMOIRE WHICH, BY OUR UNOFFICIAL TRANSLATION, READS AS FOLLOWS:
"IN ACCORDANCE WITH ATTRIBUTES CONFERRED BY LAW 21,400, THE ARGENTINE GOVERNMENT HAS TAKEN A SERIES OF MEASURES IN DEFENSE OF PUBLIC ORDER AND THE RIGHT TO WORK.

"IT HAS APPLIED THE LEGISLATION EXISTING IN THE FIELD OF THIS SPECIFIC COMPETENCE, EXERCISING NATURAL FUNCTION OF THE STATE.

"IT IS INADMISSIBLE AND CONTRARY TO INTERNATIONAL PRACTICE THAT SUCH ACTION, WHICH IS AN INHERENT RIGHT OF THE ARGENTINE STATE, CAN BE JUDGED BY ANOTHER FOREIGN GOVERNMENT.

"THEREFORE THE ARGENTINE GOVERNMENT EXPRESSES ITS DISPLEASURE OVER THE DECLARATIONS OF A DEPARTMENT OF STATE SPOKESMAN WHO HAS DESCRIBED LEGITIMATE ACTIONS OF ARGENTINE AUTHORITIES AS 'AN INFRINGEMENT OF UNIVERSALLY RECOGNIZED RIGHTS.'

"THESE DECLARATIONS CONSTITUTE AN INTROMISSION IN THE AFFAIRS RESERVED EXCLUSIVELY TO THE JURISDICTION OF THE ARGENTINE STATE IN QUESTIONS SO DELICATE AS THE MAINTENANCE OF ORDER AND AND PUBLIC SECURITY AND THE EXERCISE OF THE FUNDAMENTAL RIGHTS OF ITS CITIZENRY. SUCH EXPRESSIONS DO NOT CONTRIBUTE AT ALL TO THE DEVELOPMENT OF AN HARMONIOUS BILATERAL RELATIONSHIP."

3. FOLLOWING THIS MEETING, THE FOREIGN MINISTRY ISSUED A COMMUNIQUE TO THE PRESS ANNOUNCING THAT THE GOA HAD CALLED IN THE CHARGE TO PROTEST THE STATE DEPARTMENT STATEMENT. THIS NEWS ITEM RECEIVED BANNER HEADLINES AND PROMINENT COVERAGE IN MOST OF THE MAY 3 MORNING

PRESS.

4. COMMENT: THE ORAL EXPRESSION OF DISPLEASURE SUGGESTS ALMOST A PRO FORMA PROTEST, BUT THE COMMUNIQUE AND PROMINENT PRESS COVERAGE INDICATE THE INTENT TO LET THE ARGENTINE PUBLIC (AND MILITARY) KNOW THAT THE GOA HAS DEFENDED THE NATIONAL SOVEREIGNTY FROM FOREIGN INTERFERENCE WITH THE VIGOR WITH WHICH (IN THE ARGENTINE VIEW) THE INCIDENT WARRANTS. END COMMENT.
CHAPLIN

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Argentina

ARGENTINA PROJECT (S2000000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

☒ Release ☐ Excise ☐ Deny

Exemption(s):

~~Declassify~~ ☐ In Part ☒ In Full☐ Classify as ☐ Extend as ☐ Downgrade toDate ☐ Declassify on ☐ Reason

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